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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

E-FILED - 5/4/07

UNITED STATES OF AMERICA,)	No. CR 07-00013 RMW
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING AND EXCLUDE TIME;
v.)	[] ORDER
)	
ANTONIO RODRIGUEZ-REYES,)	
)	
Defendant.)	
)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for Monday, March 26, 2007, should be continued to Monday, April 9, 2007. The continuance is requested because defense counsel requires additional time to complete investigation, including efforts to obtain records regarding the defendant from the California Department of Corrections & Rehabilitation. Further, the parties require additional time to discuss settlement of this matter.

The parties further agree that time should be excluded under the Speedy Trial Act from March 26, 2007, to April 9, 2007, because the defense and the government require time for investigation and preparation, and the ends of justice outweigh the defendant's and the public's need for a speedy trial.

STIPULATION TO CONTINUE
HEARING DATE; [] ORDER
No. CR 07-00013 RMW

1 Dated: 3/22/07

/s/
LARA S. VINNARD
Assistant Federal Public Defender

3 Dated: 3/22/07

/s/
ERIC ROSEN
Assistant United States Attorney

6 **ORDER**

7 The parties have jointly requested a continuance of the hearing set for March 26, 2007, on
8 grounds that investigation by the defense is ongoing, and the parties require additional time to
9 discuss settlement.

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
11 presently set for March 26, 2007, be continued to April 9, 2007, at 9:00 a.m.

12 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
13 from March 26, 2007, to April 9, 2007, shall be excluded from the period of time within which
14 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

15
16 Dated: 5/4/07

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge